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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

United States of America,

No. CR-23-8045-PCT-DJH (MTM)

Plaintiff,

vs.

**ORDER**

Dwayne Ned Yazzie,

Defendant.

This case has been identified as one involving a "child" younger than eighteen years of age who is or is alleged to be a victim of a crime of physical abuse, sexual abuse, or exploitation; or a witness to a crime committed against another person. As such, the provisions of 18 U.S.C. § 3509 apply.

IT IS THEREFORE HEREBY ORDERED that all persons covered by the requirements of 18 U.S.C. § 3509(d)(1)(B), including the defendant and employees of the defendant, the attorney for the defendant and all persons hired by the defendant or the attorney for the defendant to provide assistance in the proceeding, all employees of the government connected with the case, law enforcement agencies, employees of the Department of Justice, and any person hired by the government to provide assistance in the proceeding, and all employees of the court, shall:

1. keep all documents that disclose the name or any other information concerning a "child" in a secure place to which no person who does not have reason to know their contents has access; and

2. disclose such documents or the information in them that concerns a child only to persons who, by reason of their participation in the proceeding, have reason to know such information.


IT IS FURTHER ORDERED that all papers to be filed in court that disclose the name of or any other information concerning a child shall be filed under seal without necessity of obtaining a court order. The person who makes the filing shall submit to the clerk of the court:

1. the complete paper to be kept under seal; and
2. the paper with the portions of it that disclose the name of or other information concerning a child redacted, to be placed in the public record.

IT IS FURTHER ORDERED that the defendant, counsel for the defendant and counsel for the United States shall be provided with a copy of each unredacted charging document and entitled to an unredacted copy of any pleading filed in this case, provided that such pleading is not filed ex-parte.

A KNOWING OR INTENTIONAL FAILURE TO COMPLY WITH THE PRIVACY PROTECTIONS ACCORDED BY 18 U.S.C. § 3509 IS A CRIMINAL CONTEMPT PUNISHABLE BY IMPRISONMENT AND OR A FINE PURSUANT TO 18 U.S.C. § 403.

DATED this 14 day of March, 2023.

  
Honorable Michael T. Morrissey  
United States Magistrate Judge